

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 5-144 as follows:

6 (40 ILCS 5/5-144) (from Ch. 108 1/2, par. 5-144)

7 Sec. 5-144. Death from injury in the performance of acts
8 of duty; compensation annuity and supplemental annuity.

9 (a) Beginning January 1, 1986, and without regard to
10 whether or not the annuity in question began before that
11 date, if the annuity for the widow of a policeman whose
12 death, on or after January 1, 1940, results from injury
13 incurred in the performance of an act or acts of duty, is not
14 equal to the sum hereinafter stated, "compensation annuity"
15 equal to the difference between the annuity and an amount
16 equal to 75% of the policeman's salary attached to the
17 position he held by certification and appointment as a result
18 of competitive civil service examination that would
19 ordinarily have been paid to him as though he were in active
20 discharge of his duties shall be payable to the widow until
21 the policeman, had he lived, would have attained age 63. The
22 total amount of the widow's annuity and children's awards
23 payable to the family of such policeman shall not exceed the
24 amounts stated in Section 5-152.

25 The provisions of this Section, as amended by Public Act
26 84-1104, including the reference to the date upon which the
27 deceased policeman would have attained age 63, shall apply to
28 all widows of policemen whose death occurs on or after
29 January 1, 1940 due to injury incurred in the performance of
30 an act of duty, regardless of whether such death occurred
31 prior to September 17, 1969. For those widows of policemen

1 that died prior to September 17, 1969, who became eligible
 2 for compensation annuity by the action of Public Act 84-1104,
 3 such compensation annuity shall begin and be calculated from
 4 January 1, 1986. The provisions of this amendatory Act of
 5 1987 are intended to restate and clarify the intent of Public
 6 Act 84-1104, and do not make any substantive change.

7 (b) Upon termination of the compensation annuity,
 8 "supplemental annuity" shall become payable to the widow,
 9 equal to the difference between the annuity for the widow and
 10 an amount equal to ~~75%~~ 50% of the annual salary (including
 11 all salary increases and longevity raises) that the policeman
 12 would have been receiving when he attained age 63 if the
 13 policeman had continued in service at the same rank (whether
 14 career service or exempt) that he last held in the police
 15 department. The increase in supplemental annuity resulting
 16 from this amendatory Act of the 92nd General Assembly 1995
 17 applies without regard to whether the deceased policeman was
 18 in service on or after the effective date of this amendatory
 19 Act and is payable from January 1, 2003 ~~1996~~ or the date upon
 20 which the supplemental annuity begins, whichever is later.

21 (c) Neither compensation nor supplemental annuity shall
 22 be paid unless the death of the policeman was a direct result
 23 of the injury, or the injury was of such character as to
 24 prevent him from subsequently resuming service as a
 25 policeman; nor shall compensation or supplemental annuity be
 26 paid unless the widow was the wife of the policeman when the
 27 injury occurred.

28 (Source: P.A. 89-12, eff. 4-20-95.)

29 Section 90. The State Mandates Act is amended by adding
 30 Section 8.26 as follows:

31 (30 ILCS 805/8.26 new)

32 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6

1 and 8 of this Act, no reimbursement by the State is required
2 for the implementation of any mandate created by this
3 amendatory Act of the 92nd General Assembly.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.